

10 December 2001

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2-14-5 Akasaka
Tokyo, Japan 107-0052

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Attorney Hesse:

We are three American citizens writing to express our dissatisfaction with the Proposed Final Judgment of the Microsoft anti-trust case. The current wording allows Microsoft to exclude Open Source and Free Software projects and organizations from the list of groups to whom they must disclose the information needed for interoperability. Like many small software companies, we depend on Open Source and Free Software to leverage our development resources against larger competitors.

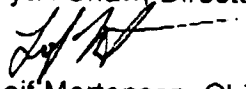
Specifically, Section III(J)(2) says that Microsoft need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business.

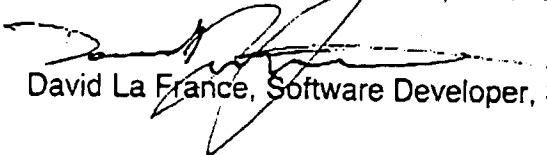
Section III(D) says that Microsoft must disclose to several types of organizations the information needed to inter-operate with Windows. However, the legal definitions for these organizations specify commercial concerns only.

We urge you to correct this oversight.

Sincerely,


Ryan Shaw, Director of R&D, Silver Egg Technology


Leif Mortenson, Chief Architect, Silver Egg Technology


David La France, Software Developer, Silver Egg Technology